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Attorney Docket P3121R1

PATENT



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September 26, 2001: Date of Deposit

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09/26/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION  
Assistant Commissioner of Patents  
Washington, D.C. 20231

**NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Audrey Goddard  
Paul J. Godowski  
Austin L. Gurney  
Colin K. Watanabe  
William I. Wood

Title: **NOVEL POLYPEPTIDES HAVING SEQUENCE SIMILARITY TO CYTOKINE RECEPTORS AND NUCLEIC ACIDS ENCODING THE SAME**

**1. Type of Application**

☐ This application is for an original, non-provisional application.

☒ This application claims priority under 35 U.S.C. § 119(e) of U.S. provisional Application Serial No. 60/191,015 filed on March 31, 2000, and claims priority under 35 U.S.C § 119 (a)-(d) of PCT Application Nos. PCT/US00/08439 filed March 30, 2000 and PCT/US01/06520 filed February 28, 2001, and claims priority under 35 U.S.C. § 120 of U.S. Application Serial No. 09/941,992 filed August 28, 2001 the entire disclosures of which are hereby expressly incorporated by reference.

☐ This is a ☐ continuation-in-part ☐ continuation ☐ divisional application claiming priority to application Serial Number\_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)**

81 pages of specification  
5 pages of claims  
1 page(s) of abstract  
4 sheet(s) of drawings  
☒ formal ☐ informal

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**3. Declaration or Oath**

☒ *(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)*  
An unassigned declaration of the inventors is enclosed. A signed declaration of the inventors will follow.

☐ *(for Cont./Div. where inventorship is the same or inventor(s) being deleted)*  
A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

☐ *(for Cont./Div. where inventor(s) being deleted)*  
A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

**4. Assignment**

☒ *(for new and CIP applications)*  
An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [X] will follow.

☐ *(for cont./div.)*  
The prior application is assigned of record to Genentech, Inc.

**5. Amendments (for continuation and divisional applications)**

☐ Cancel in this application original claims \_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

**Relate Back -- 35 U.S.C. 120 or 35 U.S.C. 119**

☐ Amend the specification by inserting before the first line the sentence:

--This is a

- ☐ non-provisional application
- ☐ continuation
- ☐ divisional
- ☐ continuation-in-part

of co-pending application(s)

☐ Serial No. \_ filed on\_, which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120. --

- \_\_\_\_\_ International Application \_ filed on \_ which designated the U.S., which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120.--
- \_\_\_\_\_ provisional application No. \_ filed \_ , the entire disclosure of which is hereby incorporated by reference and to which application(s) priority is claimed under 35 USC §119.--.

#### 6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$710.00
Total Claims	52	- 20 =	32	X \$18.00	\$576.00
Independent Claims	22	- 3 =	19	X \$80.00	\$1520.00
<u>X</u> Multiple dependent claim(s), if any				+ \$270.00	\$270.00
Filing Fee Calculation					\$3,076.00

#### 7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$3,076.00. **A duplicate copy of this transmittal is enclosed.**

#### 8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

#### 9. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☐ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- ☐ A new Power of Attorney or authorization of agent.
- ☐ Other:

#### 10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

\_\_\_\_\_ A petition, fee and/or response has been filed to extend the term in

\_\_\_\_\_ the pending prior application until  
A copy of the petition for extension of time in the **prior** application  
is attached.

**11. Correspondence Address:**

X Address all future communications to:

Attn: Elizabeth M. Barnes

Respectfully submitted,  
GENENTECH, INC.

Date: September 26, 2001

By:

*Elizabeth M. Barnes*

Elizabeth M. Barnes

Reg. No. 35,059

Telephone No. (650) 225-4563



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